



City of Mesa ADA Grievance Procedure under The Americans with Disabilities Act

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of Mesa. The City of Mesa's Personnel Policy governs employment-related complaints of disability discrimination.

If you have any questions regarding this procedure, please contact the ADA Coordinator, Ruth Giese, by calling 480-644-5033 or sending an email request to diversity.info@mesaaz.gov.

PROCEDURE

1. The complaint must meet the following requirements:

- a. The complaint should be in writing and contain information about the alleged discrimination on the basis of disability as well as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request. The ADA Grievance Form is available to help meet these requirements.
- b. If accessibility accommodations, such as large print, Braille, ASL interpreter or other accommodations are required at any time, please let the ADA Coordinator know immediately.
- c. Present a detailed description of the issue(s), including the specific hardship and potential mean for accommodation and/or possible resolution.
- d. The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

**City of Mesa ADA Coordinator, c/o Ruth Giese
PO Box 1466
Mesa, AZ 85211**

2. Upon receipt of the complaint, the ADA Coordinator will determine its jurisdiction, acceptability, need for additional information, and investigate the complaint, if accepted.

3. A complaint must meet the following criteria for acceptance:

- a. The Complaint must be filed within 60 days of the alleged occurrence.
- b. The allegation must involve a grievance protected under the Americans with Disabilities Act of 1990 ("ADA").
- c. The allegation must involve a City of Mesa service, activity, program or benefit.

4. A complaint may be dismissed for the following reasons:

- a. The Complainant requests the withdrawal of the complaint.
 - b. The Complainant fails to respond to repeated requests for additional information needed to process the complaint.
 - c. The Complainant cannot be located after reasonable attempts.
5. The Complainant will be provided with a written acknowledgement that the City has either accepted or rejected the complaint within 15 working days after the receipt of the complaint.
6. If accepted, an investigative report will be conducted within 60 calendar days of the accepted complaint by the ADA Coordinator and Legal Counsel. The report shall include a narrative description of the incident, identification of persons interviewed, findings and recommendations for disposition.
7. The ADA Coordinator/Legal Counsel will make a determination on the disposition of the complaint. Dispositions will be stated as follows:
 - a. In the event the City of Mesa is in noncompliance with the ADA regulations remedial actions will be listed.
8. Notice of the determination will be mailed to the Complainant. Notice shall include information regarding appeal rights of Complainant and instructions for initiating such an appeal. Notices of appeals are as follows:
 - a. The ADA Coordinator will reconsider the determination, if new facts, come to light.
 - b. If Complainant is dissatisfied with the determination and/or resolution set forth by the ADA Coordinator, the same complaint may be submitted to the Arizona States Attorney General's Office for investigation. Contact information including agency name, telephone number, address and website, will be disclosed.
9. All written complaints received by ADA Coordinator, investigation report/letter of finding and Final Remedial Action Plan, if appropriate, will be retained by the City of Mesa for at least three years.

Note: These procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies, or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant. Every effort will be made to obtain early resolution of complaints. The option of informal mediation meeting(s) between the affected parties and the ADA Coordinator may be used for resolution, at any stage of the process.